

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**SHAWN J. LUCHINSKI,**

Petitioner,

**-vs-**

**Case No. 10-C-980**

**MICHAEL THURMER,  
Warden, Waupun Correctional Institution,**

Respondent.

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**DECISION AND ORDER**


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Shawn J. Luchinski was convicted of three counts of repeated sexual assault of a child and sentenced to a total of 100 years in consecutive prison sentences. Luchinski requests relief under 28 U.S.C. § 2254. The Court has reviewed the respondent's answer, the transcripts of the proceedings in state court, and in particular, the decision of the Wisconsin Court of Appeals, which addressed the grounds raised by Luchinski herein. *State v. Luchinski*, 771 N.W. 2d 928 (Wis. Ct. App. 2009). This decision was not contrary to, or an unreasonable application of, clearly established Federal law, as determined by the United States Supreme Court. § 2254(d)(1). Nor was it based on an unreasonable determination of the facts in light of the evidence presented in the state court proceedings. § 2254(d)(2).

Therefore, Luchinski's petition is **DENIED**. The Court will not issue a certificate of appealability. Rule 11(a), Rules Governing Section 2254 Cases. The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 14th day of February, 2013.

**BY THE COURT:**



**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**